

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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IN RE:	:	
	:	
Anna Suchocka	:	Case No.: 19-17787-ELF
	:	
Debtor (s)	:	Chapter 13

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**MOTION TO AVOID A JUDICIAL LIEN PURSUANT TO 11 USC 522(f)**

Anna Suchocka hereinafter referred to as “Debtor” move this Honorable Court for an Order Avoiding the Judicial Lien held by Mercer Bucks Orthopaedics and in support thereof aver as follows:

1. Debtor filed a Chapter 13 Bankruptcy on or about December 213, 2019.
2. This Motion is filed pursuant to 11 USC § 522(f) to avoid and cancel a judicial lien held by Mercer Bucks Orthopaedics on the real property known as and located at 503 Curtis Drive, Morrisville, PA 19067 (hereinafter referred to as “the property”).
3. Mercer Bucks Orthopaedics obtained a judgment against the Debtor stemming from the case numbered **2014-03523**. A true and correct copy of the judgment is attached hereto, incorporated herein and labeled as “**Exhibit A.**”
4. The judgment was entered and damages were assessed at \$2,389.00 in favor of Mercer Bucks Orthopaedics.
5. The property is the Debtor’s residence and at the time of filing had a value of \$229,631.00 without deducting any reasonable and necessary costs for a potential sale, as evidenced by a fair market valuation. Attached hereto, incorporated herein and labeled as “**Exhibit B**” is a fair market valuation of the residence.

6. The Debtor's residence is encumbered by a mortgage in the amount of \$238,599.99 held by U.S. Bank National Association c/o Select Portfolio Servicing. A true and correct copy of the relevant portion of the mortgagee's proof of claim is attached hereto, incorporated herein and labeled as "**Exhibit C.**"

7. Under 11 U.S.C § 522 (f)(2)(A) "a lien shall be considered to impair an exemption to the extent that the sum of...(i) the lien; (ii) all other liens on the property; and (iii) the amount of the exemption that the debtor could claim if there were no liens on the property; exceeds the value that the debtor's interest in the property would have in the absence of any liens."

8. The Debtor has elected to use 11 U.S.C § 522(D)(1) Exemption on her residence, which has rendered any and all equity fully exempt.

9. The aforementioned judicial lien impairs the Debtor's exemption on her residence, and is otherwise unsecured based on the value of the Debtor's residence.

**WHEREFORE**, the Debtor requests an Order avoiding the judicial lien on Debtor's residence and for such additional or alternative relief as may be just and proper.

Dated: March 6, 2020

/s/Brad J. Sadek, Esq  
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